

June 10, 2020

The Public Service Commission convened on June 10, 2020, 10:03 a.m. via teleconference under North Dakota Executive Order 2020-16 in response to the COVID-19 crisis in the United States.

Commissioners Kroshus, Fedorchak and Christmann attended in the Commission Hearing Room, State Capitol, Bismarck, North Dakota.

Minutes

Mr. Kroshus: I move the minutes of May 27, 2020, be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-430
Northern States Power Company
Advance Prudence - 151.2 MW Dakota
Range III
Application

Mr. Kroshus: I move the Commission issue an application fee refund in the amount of \$31,301.28 in Northern States Power Company, Advance Prudence – 151.2 MW Dakota Range III, Application, Case No. PU-18-430.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-387
Otter Tail Power Company
Renewable Resource Cost Recovery
(2020)
Rates

Mr. Kroshus: I move the Commission issue an application fee refund in the amount of \$9,623.31 in Otter Tail Power Company, Renewable Resource Cost Recovery (2020) Case No. PU-19-387.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-41
Northern States Power / Nodak Electric
Cooperative
Thompson, North Dakota
Public Convenience & Necessity

Mr. Kroshus: I move the Commission issue an application fee refund in the amount of \$9,857 in Northern States Power / Nodak Electric Cooperative, Thompson, ND, Public Convenience & Necessity, Case No. PU-20-41.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-191
Montana-Dakota Utilities Co.
Deferred Accounting - Electric -
COVID-19
Application

Mr. Kroshus: I move the Commission assess a filing fee of \$10,000 in Montana Dakota Utilities Co., Deferred Accounting – Electric – COVID-19, Application, Case No. PU-20-191.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-192
Northern States Power Company
Deferred Accounting - Electric -
COVID-19
Application

Mr. Kroshus: I move the Commission assess a filing fee of \$10,000 in Northern States Power Company, Deferred Accounting – Electric – COVID-19, Application, Case No. PU-20-192.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-207
Montana-Dakota Utilities Co.
Ross Eriksmoen - Divide County
Public Convenience & Necessity

Mr. Kroshus: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Ross Eriksmoen – Divide County, Public Convenience & Necessity, Case No. PU-20-207.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-211
Otter Tail Power Company
Karl & Kim Krogfoss - Ramsey County
Public Convenience & Necessity

Mr. Kroshus: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Karl & Kim Krogfoss – Ramsey County, Public Convenience & Necessity, Case No. PU-20-211.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-217
Otter Tail Power Company
Robert & Nicole McIvor - Ramsey County
Public Convenience & Necessity

Mr. Kroshus: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Robert & Nicole McIvor – Ramsey County, Public Convenience & Necessity, Case No. PU-20-217.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-219
Montana-Dakota Utilities Co.
Deferred Accounting - Gas - COVID-19
Application

Mr. Kroshus: I move the Commission assess a filing fee of \$10,000 in Montana Dakota Utilities Co., Deferred Accounting – Gas – COVID-19, Application, Case No. PU-20-219.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-220
Northern States Power Company
Deferred Accounting - Gas - COVID-19
Application

Mr. Kroshus: I move the Commission assess a filing fee of \$10,000 in Northern States Power Company, Deferred Accounting – Gas – COVID-19, Application, Case No. PU-20-220.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-668
Baldwin Wind, LLC
102 MW Baldwin Wind Energy Center -
Burleigh Cty.
Siting Application

Mr. Kroshus: I move the Commission issue a Notice of Opportunity for Hearing in Baldwin Wind, LLC, 102 MW Baldwin Wind Energy Center – Burleigh Cty, Siting Application, Case No. PU-09-668.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-280
Emmons-Logan Wind, LLC
Emmons-Logan Wind Energy Center -
Emmons & Logan
Siting Application

Case No. PU-18-281
Emmons-Logan Wind, LLC
Emmons-Logan 230 kV Transmission
Line - Emmons
Siting Application

Case No. PU-19-376
Northern Divide Wind, LLC
200 MW Northern Divide Wind Energy
Center - Burke
Siting Application

Case No. PU-19-377
Northern Divide Wind, LLC
345 kV Transmission Line - Burke and
Mountrail
Siting Application

Case No. PU-20-82
OE2 North LLC
B. Sanderson Gas Processing Plant -
Williams Cnty.
Siting Application

Compliance Division
Auctioneer and Auction Clerk Update

Case No. PU-13-203
Boomerang Wireless, LLC
Designated Eligible Carrier
Application

Mr. Kroshus: I move the Commission approve the Tree and Shrub Mitigation Plan filed May 12, 2020 in Emmons-Logan Wind, LLC, Emmons-Logan Wind Energy Center – Emmons & Logan Counties, Siting Application, Case No. PU-18-280 and Emmons-Logan Wind, LLC, 230 kV Transmission Line – Emmons County, Siting Application, Case No. PU-18-281.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Moved to the Regular Agenda

Mr. Kroshus: I move the Commission execute Contract No. PU-832-20-EE with Barr Engineering Co. for construction inspection services in OE2 North LLC, B. Sanderson Gas Processing Plant - Williams Cnty., Siting Application, Case No. PU-20-082.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Mr. Kroshus: I move the Commission acknowledge the issuance of the following new auction license, which became effective during the month of May 2020.

AUCTIONEER LICENSE

Auctioneer Name	Location	Effective Date
Garrett Petersen	Oakes, ND	5/24/2020

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Mr. Kroshus: I move the Commission bill Boomerang Wireless, \$428.92 for costs incurred to date in Boomerang Wireless, LLC, Designated Eligible Carrier, Application, Case No. PU-13-203.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-91
Otter Tail Power Company
Generation Resource Cost Recovery
Rates

Mr. Kroshus: I move the Commission adopt the Order in Otter Tail Power Company, Generation Resource Cost Recovery, Rates, Case No. PU 20-91.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-93
Northern States Power Company
Light Emitting Diode Street Lighting
Tariff and Rates

Mr. Kroshus: I move the Commission adopt the Order in Northern States Power Company, Light Emitting Diode Street Lighting, Tariff and Rates, Case No. PU-20-93.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-191
Montana-Dakota Utilities Co.
Deferred Accounting - Electric -
COVID-19
Application

Mr. Kroshus: Believing that there will be no prejudice to the rights of the parties or the public interest, and finding the cases involve similar questions of law and fact, I move the Commission consolidate these cases for hearing under North Dakota Admin. Code section 69-02-04-04 and issue a Notice of Opportunity for Consolidated Hearing in Montana Dakota Utilities Co., Deferred Accounting – Electric – COVID-19, Application, Case No. PU-20-191, and Montana Dakota Utilities Co., Deferred Accounting – Gas – COVID-19, Application, Case No. PU-20-219.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-219
Montana-Dakota Utilities Co.
Deferred Accounting - Gas - COVID-19
Application

Case No. PU-20-192
Northern States Power Company
Deferred Accounting - Electric -
COVID-19
Application

Mr. Kroshus: Believing that there will be no prejudice to the rights of the parties or the public interest, and finding the cases involve similar questions of law and fact, I move the Commission consolidate these cases for hearing under North Dakota Admin. Code section 69-02-04-04 and issue a Notice of Opportunity for Consolidated Hearing in Northern States Power Company, Deferred Accounting – Electric – COVID-19, Application, Case No. PU-20-192, and Northern States Power Company, Deferred Accounting – Gas – COVID-19, Application, Case No. PU-20-220.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-220
Northern States Power Company
Deferred Accounting - Gas - COVID-19
Application

Case No. PU-18-404
Belle Fourche Pipeline Company
8-inch Wilson-Bowline Pipeline
Conversion Project
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order on Consent Agreement in Belle Fourche Pipeline Company, 8-inch Wilson-Bowline Pipeline Conversion Project, Siting Application, Case No. PU-18-404.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-376
Northern Divide Wind, LLC
200 MW Northern Divide Wind Energy
Center - Burke
Siting Application

Case No. PU-19-377
Northern Divide Wind, LLC
345 kV Transmission Line - Burke and
Mountrail
Siting Application

Case No. PU-20-161
Andeavor Field Services LLC
Skunk Hill Station to Belfield Oil
Terminal
Siting Application

Case No. PU-20-165
Dakota Prairie Refining, LLC / BOE
South, LLC
Transfer - Certificate #151 & Permit
#162 and #163
Siting Application

Case No. PU-19-376
Northern Divide Wind, LLC
200 MW Northern Divide Wind Energy
Center - Burke
Siting Application

Case No. PU-19-377
Northern Divide Wind, LLC
345 kV Transmission Line - Burke and
Mountrail
Siting Application

Case No. AM-20-180
Public Service Commission
2020 Hettinger and Stark Counties
AML Project
Project

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Northern Divide Wind, LLC, 200 MW Northern Divide Wind Energy Center – Burke, Siting Application, Case No. PU-19-376, and Northern Divide Wind, LLC, 345 kV Transmission Line – Burke & Mountrail, Siting Application, Case No, PU-19-377.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Ms. Fedorchak: I move the Commission adopt the Order in Andeavor Field Services LLC, Skunk Hill Station to Belfield Oil Terminal, Siting Application, Case No. PU-20-161.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Ms. Fedorchak: I move the Commission adopt the Order in Dakota Prairie Refining, LLC / BOE South, LLC, Transfer - Certificate #151 & Permit #162 and #163, Siting Application, Case No. PU-20-165.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Ms. Fedorchak: I move the Commission execute construction inspection contracts PU-833-20 and PU-834-20 with Keitu Engineers & Consultants, Inc. in Northern Divide Wind, LLC, 200 MW Northern Divide Wind Energy Center – Burke, Siting Application, Case No. PU-19-376, and Northern Divide Wind, LLC, 345 kV Transmission Line – Burke & Mountrail, Siting Application, Case No, PU-19-377.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Mr. Christmann: I move the Commission execute a contract with Dan Hart Patrol Service LLC of Upton, WY, in the amount of \$321,478.30 for construction services for the 2020 Hettinger and Stark Counties AML Project, Case No. AM-20-180.

Ms. Fedorchak: I second the motion.
Roll Call: All voting "Aye."

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Weights and Measures
Testing Requirements
COVID-19

Mr. Kroshus: I move the Commission issue a General Advisory as notification the Commission finds it in the public interest to pause the running of the fifteen month testing period set forth in N.D. Admin. Code § 69-10-01-02.3 from March 13, 2020 through May 31, 2020.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Policy Memorandum
Compliance Waivers

Ms. Fedorchak: I move the Commission approve the Policy Memorandum regarding compliance waivers regarding N.D.C.C. section 49-22-03(3) and N.D.C.C. section 49-22.1-01(3) that govern the process for facility additions, improvements or facility capacity changes within the geographic boundaries of a previously issued certificate.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:48 P.M.



Executive Secretary



BRIAN KROSHUS, CHAIRMAN